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July 3, 2003

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TW-A325  
Washington, DC 20554

RE: Section 68.4(a) of the Commission's Rules Governing  
Hearing Aid Compatibility Telephone  
WT Docket No. 01-309 **EX PARTE**

Dear Ms. Dortch:

This is to inform you that on July 2, representatives of Siemens and Cingular Wireless met in separate meetings with Commissioner Kevin J. Martin, Commissioner Jonathan S. Adelstein and Barry Ohlson, Legal Advisor to Commissioner Jonathan S. Adelstein concerning issues related to the referenced subject.

The attached document was used for discussion purposes. Please associate this notification and accompanying material with the referenced docket proceeding.

Attending the meeting was Mark Esherick of Siemens and Susan P. Mazrui of Cingular Wireless.

If there are any questions concerning this matter, please contact the undersigned.

Sincerely,

Susan Palmer Mazrui  
Director-Federal Regulatory Affairs

Attachment

Cc: Commissioner Kevin J. Martin  
Commissioner Jonathan S. Adelstein  
Barry Ohlson

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# Hearing Aid Compatibility (HAC)

WT Docket 01-309, Ex Parte  
July 2, 2003

Cingular Wireless and Siemens

Cingular Wireless and Siemens



# Critical Issues

- Successful Designs
- Flexibility
- Communicating With Consumers
- FCC Support



# Critical Issues – Successful Designs

- Manufacturers should not be required to make modifications in handsets to provide hearing aid compatibility that would negatively impact the performance of the handset or network
- Compliance deadlines should take into consideration the product development lead times, product life cycles and should provide a phased-in approach
- Telecoil compatibility should be available on one handset per product line – allows manufacturers to focus compatibility in the handsets that will provide the best interaction for the consumer



# Critical Issues - Flexibility

- A "Seed Stock" approach should be permitted for handsets that couple inductively
  - A "seed stock" approach, small batch manufacturing, means that an appropriate number of HAC handsets are developed to meet the consumer demand
  - A "seed stock" approach allows for higher quality solutions that meet the needs of users with a range of hearing loss and hearing technologies
  - Allows for "migration" to better technical solutions as new hearing aids and wireless devices hit the market
  - Promotes the development of solutions by the third-party specialists in hearing technologies
  - The FCC should provide an expedited equipment grant process or a waiver for current models modified to meet requirements.



# Critical Issues – Flexibility

- Most handsets may be able to meet ANSI c63.19 U2 levels for RF emissions
- A “Readily Achievable” approach for Telecoil compatibility would allow companies to ensure accessibility
  - 1<sup>st</sup> level – built into handsets
  - 2<sup>nd</sup> level – accessories, preferably directly attached
  - 3<sup>rd</sup> level -- need to document “not readily achievable” and seek waiver



# Critical Issues - Flexibility

- Rules addressing hearing aid compatibility should allow for flexible design to accommodate migration from Telecoil to innovative technologies (Blue Tooth, IR, etc.)
  - Consumers do not want to be locked into old technologies
- “Equivalent facilitation” should be permitted
  - allows for departures from specific technical and scoping requirements by permitting the use of other designs and technologies where the alternative designs and technologies used will provide substantially equivalent or greater access and/or usability
- Equivalent facilitation is already permitted in rules and guidelines pertaining to disability accessibility and usability -- including the ADA and Section 508 of the Rehabilitation Act



# Critical Issues - Communicating With Consumers

- CTIA has developed a consumer-oriented web site for documenting information on digital wireless handsets
  - a good start
- A committee, with representation from the wireless and hearing industries, consumers with hearing loss and hearing health professionals should be created to establish a communication plan to provide consumers with information on hearing aid compatibility
- *The Commission may want to ask the FCC Consumer Advisory Committee to address this issue*



# Critical Issues - FCC Support Is Needed

- The FCC should demonstrate support for ATIS' Technical Incubator on HAC and other technology focused efforts
- The FCC should continue to engage the FDA on this issue and, by this means, the hearing aid industry
- The FCC should promote standards work as needed, including ANSI c63.19



# Critical Issues - FCC Support Is Needed

- Any rules adopted should support
  - One product per product line for wireless coupling
  - ANSI c63.19, U2 RF emission levels in a range of handsets
  - Telecoil requirements should support:
    - A "**Readily Achievable**" approach requiring proof before waivers are granted
    - A "**Seed Stock**" approach so higher quality solutions can be developed and implemented quickly to address the needs of hearing aid users with a range of hearing loss
- Companies that want to demonstrate "**Equivalent Facilitation**" so innovative solutions that take advantage of new technologies are encouraged